

REMARKS

This is in response to the final Office Action, mailed January 28, 2004, in relation to the above-identified patent application. In that Office Action, the Examiner rejected Claims 1, 25-32. In particular, the Examiner referred to the rejections of the claims as set forth in the Office Action mailed on August 21, 2003, in which Claims 1 and 25-32 were rejected under 35 U.S.C. § 102(b) as being anticipated by DUNLAP. The Examiner also rejected Claims 1 and 25-32 under 35 U.S.C. § 103(a) as being unpatentable over REITER et al. in view of DUNLAP. The Examiner stated, in a telephone message, that the current claim amendments that were presented to him by facsimile are acceptable, and the claims as amended will be allowed.

Claim Rejections Under 35 U.S.C. § 102(b)

In the Office Action, the Examiner rejected Claims 1 and 25-32 under 35 USC § 102(b) as being anticipated by DUNLAP (U.S. Patent No. 1,965,138). Applicant has amended Independent Claims 1, 26, and 29 to more clearly point out the novel features of the present invention and to distinguish those features over DUNLAP.

DUNLAP discloses a non-porous, rigid disposable insert liner, having a base and an elevated lip, shaped to provide protection to the interior surface and lip of the underlying vessel. DUNLAP also discloses an extended perimeter for overlaying and protecting the elevated lip of the underlying vessel (DUNLAP, Figure 1). Further, DUNLAP discloses a liner wherein the end walls are higher than the sidewalls (DUNLAP, Figure 1).

Independent Claims 1, 26, and 29 have been amended to more particularly point out that the raised end portion claimed in this invention encompasses "a back wall and sections of two

side panels contiguous with said back wall.” Support for these amendments may be found in the illustrations of Figures 1 and 2, and on page 6, lines 8-15. With respect to Independent Claims 1, 26, and 29, DUNLAP does not disclose a raised end portion including “a back wall and sections of two side panels contiguous with said back wall,” as claimed in the amended Claims 1, 26, and 29 of the present invention. Rather, DUNLAP discloses an insert wherein the *end wall* is higher than the *sidewalls*. Accordingly, Applicant respectfully submits that amended Independent Claims 1, 26, and 29 are not anticipated by DUNLAP under 35 USC § 102(b) and respectfully requests the withdrawal of the Examiner's rejection of Independent Claims 1, 26, and 29.

Claim 25 is a dependent claim with respect to Independent Claim 1, Claims 27 and 28 are dependent claims with respect to Independent Claim 26, and Claims 30-32 are dependent claims with respect to Independent Claim 29. Therefore, based upon the current amendments to Independent Claims 1, 26, and 29, the Applicant submits that Claims 25, 27, 28, and 30-32 are presently in allowable form and respectfully requests the withdrawal of the Examiner's rejections.

Claim Rejections Under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected Independent Claims 1, 26, and 29 under 35 USC § 103(a) as unpatentable over REITER et al. in view of DUNLAP. Applicant has amended Claims 1, 26, and 29 to more distinctly claim the elements of the present invention and submits that the combination of the references does not teach or suggest each and every element of the present invention as claimed in amended Claims 1, 26, and 29 and dependent Claims 25, 27, 28, and 30-32. Accordingly, Applicant respectfully requests the Examiner withdraw his rejection of Claims 1 and 25-32 under 35 U.S.C. § 103(a).



CONCLUSION

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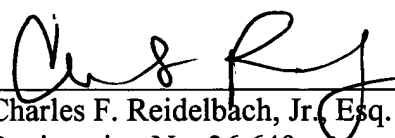
Claims 1 and 25-32 are currently pending. In view of the foregoing amendments and remarks, Applicant respectfully submits that all of the pending claims are in condition for immediate allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

If the Examiner feels for any reason that direct contact with the Applicant's attorney will advance the prosecution of this case to finality, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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